IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

WP(C).No. 29913 of 2007(S)

OP.474/2005 of FAMILY COURT,KOZHIKODE
.....

PETITIONER:

O. SATHEESH CHANDRAN,
S/O. LATE P.KUTTY KRISHNAN, GUN HOUSE,
BILATHIKULAM, WEST HILL, KOZHIKODE-5.

BY ADV. SRI.E.NARAYANAN

RESPONDENT:

K.P. MALATHY, D/O.LATE DEVAKI AMMA,
SAROJ MANDIR, WEST HILL, NOW AT DREAM LAND FLAT,
CHAKKORATHKULAM, WEST HILL, KOZHIKODE-5.

BY ADV. SRI.V.R.KESAVA KAIMAL
SRI.N.M.MADHU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS -

P1 - TRUE COPYOF THE CT SCAN REPORT OF HIS BRAIN ISSUED FROM THENATIONAL SCAN AND RESEARCH CENTRE, INDIRA GANDHI ROAD, CALICUT DT. 4.8.2002.

P2 - TRUE COPY OF THE COLOUR DOPPLER M- MODE AND 2D - ECHO CARDIOGRAPHY REPORT ISSUED TO THE PETITIONER FROM THE DOCTOR'S SCAN CENTER, DATED 19.8.2002.

P3 - TRUE COPY OF THE DISCHARGE SUMMARY DATED 24.8.2002 ISSUED TO THE PETITIONER FROM THE SRIDHAR HOSPITAL PVT. LTD., CALICUT.

P4 - TRUE COPY OF THE MEDICAL BILL FOR THE PURCHASE OF AYURVEDIC MEDICINES ISSUED TO THE PETITIONER FROM FUGIYAMA AYURVEDIC RESEARCH CENTER DATED 3.9.2005.

P5 - TRUE COPY OF THE MEDICAL PRESCRIPTION ISSUED TO THE PETITIONER BY DR.PRADEEP SREEDHAR DATED 12.7.2005.

P6 - TRUE COPY OF THE MEDICAL BILL FOR THE PURCHASE OF AYURVEDIC MEDICINES ISSUED TO THE PETITINER FROM FUGIYAMA AYURVEDIC RESEARCH CENTER DATED 17.9.2005.

P7 - TRUE COPY OF THE MEDICAL BILL FOR THE PURCHASE OF ENGLISH MEDICINES ISSUED TO THE PETITIONER FROM A.R.MEDICALS, CALICUT DATED 5.9.2005.

P8 - TRUE COPY OF THE IA 1259/2007 DATED 24.8.07 IN OP 474/05 ON THE FILE OF THE FAMILY COURT, KOZHIKODE.

P9 - TRUE COPY OF THE ORDER DATED 26.9.07 IN IA 1259/2007 IN OP 474/05 ON THE FILE OF THE FAMILY COURT, KOZHIKODE.

P10 - TRUE COPY OF MEDICAL BILL ISSUED FROM KOYIL MEDICALS, CALICUT DATED 20.8.07.

P11 - TRUE COPY OF MEDICAL BILL ISSUED FROM SRIDHAR'S DIACARE DATED 6.10.07.

P12 - TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY DR. PRADEEP SREEDHAR, SRIDHAR'S DIACARE TO THE PETITIONER DATED 6.10.2007.

P13 - MEDICAL CERTIFICATE DATED 20.8.2007 ISSUED BY DR. K.LOKESHAN NAIR, MBBS, D.ORTHO OF BONE AND JOINT HOSPITAL, CALICUT TO THE PETITIONER.

P14 - TRUE COPY OF THE ORDER DATED 26.9.07 IN IA 1259/07 IN OP 474/07 OF THE FAMILY COURT, KOZHIKODE.

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

W.P.(C) No.29913 of 2007

Dated: November 27, 2007

JUDGMENT

Kurian Joseph, J.

After having extensively heard the learned counsel for the petitioner, since the court was not inclined to grant the relief of examination of the petitioner through an advocate commissioner in the peculiar facts and circumstances of the case, the learned counsel for the petitioner ascertained from the petitioner that the petitioner can be examined in the camp sitting of the Family Court, Kozhikode at Quilandy. Therefore, this writ petition is disposed of directing the Family Court, Kozhikode to take upO.P.474/2005 in the next camp sitting at Quilandy.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE.

mt/-